



## REMARKS

The 10/8 Action includes an obviousness type double patenting rejection of claims 19-26 based on U.S. Patent No. 6,615,892 (hereinafter "the '892 patent").

The '892 patent issued from U.S. patent application 09/197,140 (hereinafter "the '140 application"). The present application is a divisional of the parent '140 application, as recognized in the Filing Receipt mailed October 27, 2003. However, based on the nature of claims pending at the time of the original restriction requirement in the '140 application, this appears to present the rare situation where claims of a divisional application can be subject to an obviousness-type double patenting rejection.

Applicants respectfully request that the Examiner again review the prosecution histories of the instant application and that of the '140 application and confirm that the circumstances do indeed support such a rejection. Under the assumption that the rejection is proper, Applicants have provided herewith a Terminal Disclaimer and Statement under 37 C.F.R. § 3.73. Also enclosed is a Fee Transmittal sheet (and copy thereof) authorizing the USPTO to charge the fee required by 37 C.F.R. § 1.20(d), believed to be \$110.00, to Deposit Account 07-1045. Any additional fees also should charged, and any overpayments credited, to that same Deposit Account.

Questions or comments concerning this submission or the application in general should be directed to the attention of the undersigned.

Respectfully submitted,

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